

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CMRE FINANCIAL SERVICES INC.,  
PROFESSIONAL CLAIMS BUREAU  
LLC,

Plaintiffs and Counter-Defendants,

v.

DOXO INC.,

Defendant and Counter-Claimant,

CASE NO. 2:22-cv-00298-RAJ-BAT

**ORDER DENYING PLAINTIFF'S  
MOTION TO DISMISS  
COUNTERCLAIM AND  
GRANTING IN PART,  
PLAINTIFFS' MOTION TO  
STRIKE AFFIRMATIVE  
DEFENSES**

Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, the Court finds and **ORDERS**:

1. The Court **ADOPTS** the Report and Recommendation.
2. Plaintiffs CMRE Financial Services, Inc. and Professional Claims Bureau, LLC's Motion to Dismiss/Strike Defendant DOXO, Inc.'s Counterclaim and Motion to Strike Affirmative Defenses (Dkt. 19) is **granted in part and denied in part** as follows:

ORDER DENYING PLAINTIFF'S MOTION  
TO DISMISS COUNTERCLAIM AND  
GRANTING IN PART, PLAINTIFFS'  
MOTION TO STRIKE AFFIRMATIVE  
DEFENSES - 1

1 a. Plaintiffs' motion to dismiss Doxo's Counterclaim is **denied**.

2 b. Plaintiffs' motion to strike Doxo's Affirmative Defense No. 2 is **granted**  
3 and the motion to strike Affirmative Defense Nos. 1, 3, 4, and 5 is **denied**. It is  
4 further **ORDERED** that Affirmative Defense Nos. 1, 3, 4, and 5 shall be  
considered general denials or objections only.

5 3. The Clerk is directed to send copies of this Order to the parties and to Judge  
6 Tsuchida and to re-refer this matter to Judge Tsuchida for further pretrial proceedings.

7 DATED this 18<sup>th</sup> day of August, 2022.

8 

9 The Honorable Richard A. Jones  
10 United States District Judge